

ADJOURNMENT

On motion of Senator Aikin the Senate at 4:25 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

SIXTH DAY

(Thursday, January 18, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senator was absent-excused: Adams.

A quorum was announced present.

The Reverend Charles A. Sumners offered the invocation as follows:

Almighty God our Heavenly Father, we acknowledge Thy Presence here and now. We see one another outwardly, blessed Lord. Remind us that thou seest each of us inwardly. Grant that these Thy sons and Thy daughters may be so sure of Thy love that they do not need to strive for approval from one another. Let thine own integrity permeate the inner being of every person in this Senate. As we stand in this one place, lift our vision that we may see every child of thine in this whole state of Texas. Forgive us when we are unaware of our obligations and privileges as citizens of the United State of America. In the large responsibilities before everyone here grant that we may rely upon thine infinite wisdom and power. For all Thy blessings we give thee thanks through Jesus Christ. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Adams was granted leave of absence for today on account of illness on motion of Senator Jones.

COMMITTEE APPOINTED

In accordance with the provisions of S.C.R. 6, the President announced the appointment of the following Committee to select the Poet Laureate of Texas: Senators Harrington, Chairman, and Kothmann.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senators Wolff, Clower and Adams:

S.B. 21, A bill to be entitled An Act exempting certain athletic organizations from the payment of the Limited Sales, Excise and Use Tax; amending Article 20.04, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, by adding a Section (BB); and declaring an emergency.

To Committee on Finance.

By Senator Kothmann:

S.B. 22, A bill to be entitled An Act providing for life imprisonment with no parole for persons convicted a second time of sale of narcotics or dangerous drugs; amending Subsections (b) and (c), Section 23, Uniform Narcotic Drug Act, as amended (Article 725b, Vernon's Texas Penal Code); amending Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, (Article 726d, Vernon's Texas Penal Code), as amended; amending Subsections (a) and (b), Section 15, Article 42.12, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Herring:

S.B. 23, A bill to be entitled An Act relating to the exemption of certain students from Nicaragua from tuition payments at state-supported institutions of higher education; amending Section 54.207, Texas Education Code, by adding Subsection (f); and declaring an emergency.

To Committee on Education.

By Senator Andujar:

S.B. 24, A bill to be entitled An Act relating to the penalties for possession of cannabis; amending Subsection (a) and adding Subsection (d), Section 23, Uniform Narcotic Drug Act, as amended (Article 725b, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on Jurisprudence.

By Senators Aikin, Moore, Schwartz and Creighton:

S.B. 25, A bill to be entitled An Act appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the period beginning September 1, 1973, and ending August 31, 1975; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency.

To Committee on Finance.

By Senators Gammage, Mengden, Brooks, Wallace, Ogg and Schwartz:

S.J.R. 3, Proposing an amendment to Article IV, Section 4, of the Texas Constitution, to provide that a person who has served two consecutive terms as governor may not succeed himself.

To Committee on State Affairs.

By Senators Herring, Ogg and Gammage:

S.J.R. 4, Proposing an amendment to the Constitution of the State of Texas revising Article V thereof to provide for a unified judicial system composed of a supreme court, courts of appeal, district courts and county courts, and authorizing the legislature to prescribe jurisdiction thereof; providing for nonpartisan election and the qualifications, tenure and retirement of judges; creating a Judicial Council and providing for the appointment and tenure of its

members and prescribing its duties; providing for administration and financing of the judicial system, for a Judicial Qualifications Commission, for a county commission, for the election and duties of county officials, and for temporary continuance of the offices of justice of the peace and constable; and providing transitional provisions.

To Committee on Jurisprudence.

(Senator Aikin in Chair)

By Senator Mengden:

S.J.R. 5, Proposing an amendment to Article VIII, Section 1, of the Texas Constitution, to prohibit the legislature from taxing personal or corporate incomes without approval by a popular vote.

To Committee on State Affairs.

NOMINATIONS REFERRED

The following nominations of the Governor, which were read and filed with the Secretary of the Senate on Monday, January 15, were referred to the Committees indicated:

North Texas State University Board of Regents. To Committee on Education.

Gulf Coast Waste Disposal Authority. To Committee on Natural Resources.

Texas State Historical Survey Committee. To Committee on State Affairs, Subcommittee on Nominations.

Nueces River Authority. To Committee on Natural Resources.

Texas Offshore Terminal Commission. To Committee on Economic Development.

Neches River Conservation District Board of Directors. To Committee on Natural Resources.

Texas Board of Private Investigators and Private Security Agencies. To Committee on Jurisprudence.

ADJOURNMENT

On motion of Senator Hightower the Senate at 10:58 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, January 22, 1973.

APPENDIX

Sent to Governor

January 18, 1973

S.C.R. 8

**In Memory of
Former President Harry S. Truman**

Senator Clower offered the following resolution:

(Senate Resolution 13)

WHEREAS, Leaders of the nation and across the globe, people everywhere, mourned the death of the 33rd President of the United States, Harry S. Truman, on Tuesday, December 26, 1972, at age 88. He was beloved by his nation for the personal warmth and humanity he emanated, as well as for the strength and extraordinary determination with which he led the country through difficult and trying times; and

WHEREAS, Decisions he made during his administration changed the course of world relations and their effect is felt even today in all facets of foreign and domestic policy. The future which he shaped through his actions and ideas is major history today: the bombing of Japan to end World War II; the Marshall Plan to aid post war Europe; the recognition of the new state of Israel; and the policy of containment of world communism; and

WHEREAS, "A common man who rose to uncommon greatness," President Truman never forgot his farm-boy upbringing. He was always close to the people and never failed to work on their behalf. He was born at Lamar, Missouri, but his family's home was a rolling upland farm at Grandview, Missouri. For eleven years he worked a farm in partnership with his father until World War I. In that war he served honorably as a captain of artillery and achieved the rank of major. On his discharge he married the gracious and charming Miss Bess Wallace, his childhood sweetheart. He then entered the men's clothing business which thrived until the deflation of the early '20's caused his enterprise to fail. The strict sense of honor he adhered to throughout his life was exemplified in the personal responsibility he felt to make certain all creditors were paid in full; and

WHEREAS, In 1922, he was elected to a position on the county court, governing body of Jackson, Missouri, and thus launched the career that ultimately took him to the White House. He entered the United States Senate in 1934 and was reelected to a second term in 1940. His years in the Senate were distinguished by his chairmanship of an investigating committee which kept a constant watch on preparedness and war spending. His second term was interrupted by his election to the vice presidency and within only three months he became the 33rd President of the United States; and

WHEREAS, His days in the presidency were momentous ones: they prompted the honored Winston Churchill to describe him as one of the most important men of the twentieth century. His administration is marked by the creation of new and significant policies, especially in the foreign arena. He helped produce the United Nations Charter and initiated the European Recovery Program. He helped the world's underdeveloped areas with his "Point Four" program providing technical and financial aid. It was his decision to end the war with Japan by using the new atomic bomb, giving birth to the atomic age. Sending troops to Korea was also an unprecedented act of tremendous magnitude; and

WHEREAS, Harry S. Truman was a man of immense wisdom and dignity and his loss will create a void in the heart and leadership of the nation that may never again be filled. He was a brilliant statesman who provided strong leadership to a country in need of strength and guidance. His efforts, energies,

and ideas helped make the United States the powerful and great nation it is today. A great nation needed a great man and its need was answered in Harry S. Truman; now, therefore, be it

RESOLVED, That the Senate of the State of Texas pay tribute to the memorable life of Harry S. Truman, 33rd President of the United States, and extend deepest sympathy to the members of his family: to his wife, Mrs. Bess Wallace Truman; to his daughter, Mrs. Clifton Daniel; and his four grandsons, Clifton Truman Daniel, William Wallace Daniel, Harrison Gates Daniel, and Thomas Washington Daniel; and, be it further

RESOLVED, That a page in the Journal be set aside in memory of Harry S. Truman, that official copies of this Resolution be prepared for his family as an expression of sympathy from the Senate of the 63rd Legislature of the State of Texas, and that when the Senate adjourns this day, it do so in memory of President Harry S. Truman, whose service to his nation was significant in history.

CLOWER
BLANCHARD

The resolution was read.

On motion of Senator Moore and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Clower, the resolution was adopted by a rising vote of the Senate.